

City of Hannibal

OFFICIAL COUNCIL PROCEEDINGS

**Tuesday November 16, 2021
Council Chambers
7:00 p.m.**

ROLL CALL

Present: Council Members Bowen, Welch, McCoy, Mayor Pro Tem Dobson and Council Member Franke - 5

Absent: Mayor Hark and Council Member Veach – 2

CALL TO ORDER

There being a quorum present, Mayor Pro Tem Dobson called the meeting to order.

INVOCATION

The invocation was then given by Hannibal Regional Economic Development Director Corey Mehaffy.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Dobson then requested Council Member Bowen to lead the Pledge of Allegiance to the Flag.

A motion was made by Council Member Bowen to excuse Mayor Hark and Council Member Veach from the meeting. The motion was seconded by Council Member Welch.

Motion carried.

APPROVAL OF AGENDA

A motion was made by Council Member McCoy to approve the agenda, as presented and posted. The motion was seconded by Council Member Bowen.

Motion carried.

APPROVAL OF MINUTES
Special Called Council Meeting – October 26, 2021
Regularly Scheduled Council Meeting – November 2, 2021

A motion was made by Council Member McCoy to approve the special called council meeting minutes from October 26, 2021, along with the regularly scheduled Council meeting minutes held November 2, 2021. The motion was seconded by Council Member Bowen.

Motion carried.

APPROVAL OF PAYROLL AND CLAIMS
First Half – November 2021

A motion was made by Council Member Bowen to approve the payroll and claims for the first half of November 2021. The motion was seconded by Council Member Welch.

Motion carried.

KATY WELCH - HISTORIC HANNIBAL MARKETING COUNCIL
Re: Request, Street Closures and Sale of Alcohol – Victorian Festival of Christmas
Saturday, December 11, 2021 – 3:00 p.m. – 9:00 p.m.

Mayor Pro Tem Dobson requested Katy Welch, representing Historic Hannibal Marketing Council (HHMC) to approach. Ms. Welch was not in attendance, he therefore requested City Clerk Zerbonia to present on behalf of the HHMC. Zerbonia advised the request is for street closures and the sale of alcohol for the Victorian Festival of Christmas, Babes in Toyland Parade and Living Windows which will be held Saturday, December 11, 2021 from 3:00 p.m. to 9:00 p.m.

Zerbonia advised there will be street vendors along with an alcohol vendor on Main Street, with a children's walking parade at 4:00 p.m. and Living Windows from 5:00 p.m. to 8:00 p.m. They are requesting barricades placed on Main Street from Broadway to Hill Street.

Zerbonia advised a caterer's license is required for the sale of alcohol, along with special event licenses for the other vendors, that do not possess a current City business license. She also stated the certificate of insurance and hold harmless agreement is still needed from the organization.

A motion was made by Council Member Welch to approve the street closures and the sale of alcohol for the Victorian Festival of Christmas, Babes in Toyland Parade and Living Windows to be held Saturday, December 11, 2021 from 3:00 p.m. to 9:00 p.m. The motion was seconded by Council Member Bowen.

Council Member McCoy then stated there have been several special event application requests before Council that have not had a representative present. He feels if people/organizations are going to request to come before Council for special events, and while he realizes circumstances happen, communication needs to happen between them and the City Clerk's office if they are unable to attend.

JAMES LEMON – CITY ATTORNEY

Re: April, 2022 Municipal Election

*Proposition 1 – Infrastructure and Remedial Improvements Sales Tax (1/2 percent)
(Bill No. 21-035, to follow)*

Ethan Machete, Assistant City Attorney, advised he is presenting the ballot language that will be placed on the April, 2022 Municipal Election regarding Proposition 1 - *Infrastructure and Remedial Improvements Sales Tax (1/2 percent)*. If approved the increased sales tax revenue will help fund the infrastructure and other needs the City needs.

Council Member Welch questioned if the stormwater wording was removed, as requested, in which Machete concurred.

Council Member Franke stated the ballot language in the Ordinance did not include a sunset clause of five years, as requested. Mayor Pro Tem Dobson advised that the Ordinance can be amended on the floor once the Bill is read.

Mayor Pro Tem stated Bill No. 21-035 is to follow, for a first reading.

LISA PECK – CITY MANAGER

Re: Sale of Real Estate – 612 Mark Twain Avenue – Declarations of Restrictions and Special Warranty Deed

*Horizons Rentals - \$2,870
(Resolution No. 2381-21, to follow)*

Lisa Peck, City Manager, advised City owned property known as the former Bestway Hotel, located at 612 Mark Twain Ave, has an opportunity to be sold. Horizon Rentals has proposed a redevelopment of this property into a functional hotel. The City obtained the hotel at no cost and proposes to transfer the property for \$2,870, which covers the City's portion of the past due taxes, at the time the City accepted the property, as well as the labor and materials for boarding up the property. The property will carry covenants on it for a period of five years, and includes a 50% real property only tax abatement for 15 years (currently, the property is not generating any tax revenues) and the project is estimated to generate just over \$1,000,000 of new investment in that area.

Council Member Bowen clarified the reason the City did not go out for bids for this property is, Horizons Rentals is the only "party" that had a decent proposal for the location, in which Peck concurred. Peck also advised this was the first viable entity to approach the City with the means and a plan to redevelop the area. Mayor Pro Tem Dobson advised the former Murphy Motors building, which was City owned, was handled in this same manner, basically the owner came to the City with an idea for the building, even though at that time the City was looking to demolish the building. There were no bids for that building, it was brought to Council and they voted to accept the proposal.

Mayor Pro Tem Dobson stated Resolution No. 2381-21, to follow.

Re: Property Acquisition, 317 Broadway (former Wareco Lot) –Environmental Service Agreement, General Warranty Deed, Contracts

*Kathleen Fisher, Samuel R. Schultz and Terry Schultz to City of Hannibal - \$10,000
(Resolution No. 2386-21, to follow)*

Peck then advised there was a “cloud” on the title for property at 317 Broadway, the former Wareco site, which has recently cleared and the price to acquire the property has been lowered. The City has the opportunity to purchase the lot for \$10,000 with \$5,000 coming from Parks and Recreation and \$5,000 coming from the Hannibal Board of Public Works. The City will use this lot for much needed additional parking in the downtown area.

Peck advised the lot is covered under the Petroleum Storage Tank Insurance Fund, and estimates the remaining environmental monitoring to be under \$100,000. The fund has a legal obligation to fund all remaining work up to the statutory obligation of \$990,000. Peck advised she disbursed a copy of an email, prior to tonight’s meeting, from the Petroleum Storage Tank Insurance Fund along with the agreement.

Mayor Pro Tem Dobson advised that what’s important for the average citizen to understand is that the City is aware the lot was a former gas station and any cleanup as it will not be bore by the City, it will be paid by the fund.

Council Member Franke then questioned the parking use and advised he is confused as to why Parks & Recreation and the utility company would be paying for this property. Peck advised the utility company agreed to pay a portion, as they were wanting to place a charging station on the lot. He asked if there are extra expenses to pave the lot or other expenses, in which Peck advised the Street Department would complete those in-house, at minimal cost, in which Director of Central Services Andy Dorian concurred. Council Member Franke then asked if Parks & Recreation and the utility company would be reimbursing the Street Department for that work, in which Peck stated they would not be. Council Member Franke advised he is still concerned as to why the utility company and Parks are paying for the lot. Peck advised that’s what was agreed upon by Council at that time. He feels that the City wants the lot, which wasn’t budgeted, and doesn’t want to appropriate it from the appropriate accounts so they are taking money from other departments to fund the purchase. Mayor Pro Tem Dobson advised this purchase goes back years, in which Council Member Franke advised he is aware as he was on the HBPW Board when they denied the purchase. He feels this will set a bad precedent for the future.

Mayor Pro Tem Dobson stated Resolution No. 2386-21 is to follow, for approval.

Re: Approval of Appointment

Peck then reminded Council of the candidate she presented for recommendation of appointment during the last Council meeting. She is recommending approval of Andrew Wikstrom to be appointed to the Board of Adjustment as an alternate, for a term to expire May 2026.

A motion was made by Council Member McCoy to approve the appointment of Andrew Wikstrom to the Board of Adjustment as an alternate, for a term to expire May 2026. The motion was seconded by Council Member Bowen.

Re: Recommendation of Appointment

Peck then made the following recommendation of appointment as an alternate to the Board of Adjustment.

BOARD OF ADJUSTMENT

- **John Hamilton – appointment as alternate for a term to expire May 2026**

She advised this nomination will be considered for approval at the next regular Council meeting, to be held December 7, 2021.

ANDY DORIAN – DIRECTOR, CENTRAL SERVICES

Re: Sale of City Owned Property, 609 South Hayden – Special Warranty Deed & Agreement for Transfer of Real Estate

Mike Miles - \$575

(Resolution No. 2382-21, to follow)

Andy Dorian, Director of Central Services, then approached Council advising he had several items of business, the first being a request from Mike Miles, requesting to purchase City owned property at 609 South Hayden. He would like to build a house on the property to use as rental property.

Dorian advised a title search was done and everything came back clear. He stated past sales of City owned properties were \$500, however, they are now charging \$575. Dorian stated that the City used to bill in arrears however, is now requesting payment from the applicant, up front. The \$575 includes closing costs (recording fees).

Mayor Pro Tem Dobson stated Resolution No. 2382-21 is to follow, for approval.

Re: Sale of City Owned Property, 2311 Market Street – Special Warranty Deed & Agreement for Transfer of Real Estate

Mike Miles - \$575

(Resolution No. 2383-21, to follow)

Dorian's next item is a request also from Mike Miles, to acquire City property located at 2311 Market Street. Mr. Miles is not quite sure what he and his son plan to do with the property, however, it will be some sort of commercial building. For the time being the plan is to keep the lot mowed and maintained until they decide a final plan that they can develop, working with the Building Inspector's Office.

Dorian advised, if approved this property will also be sold for \$575.

Mayor Pro Tem Dobson stated Resolution No. 2383-21 is to follow, for approval.

Re: Sale of City Owned Property, Prince Avenue – Special Warranty Deed & Agreement for Transfer of Real Estate

Larry Welch - \$575

(Resolution No. 2384-21, to follow)

Dorian's next item is also the sale of City owned property. Larry Welch has submitted a request to purchase a small piece of property at the end of Prince Avenue which is located behind his property, which he will add to his current property.

Dorian advised, if approved this property will also be sold for \$575.

Mayor Pro Tem Dobson stated Resolution No. 2384-21 is to follow, for approval.

Re: Lakeside Drive Extension Project - Engineering Service Agreement

Klingner & Associates - \$54,999.50

(Resolution No. 2385-21, to follow

Dorian's next item is approval of the Lakeside Drive extension project, engineering agreement. He advised the City of Hannibal/HBPW was awarded an \$835,000 Governor's Cost Share Grant for the construction of an extension of Lakeside Drive into the Industrial Park.

Klingner & Associates has submitted a contract agreement for the preparation of the final design in the amount of \$20,779.20 and a contract agreement for the bidding, construction administration, and construction inspection for the project in the amount of \$34,220.30 for a total amount of \$54,999.50. The engineering portion of this project is not reimbursable under the grant, therefore the HBPW Board has agreed to pay for this portion of the project.

Mayor Pro Tem Dobson stated Resolution No. 2385-21 to follow, for approval.

Re: Bid Award Approval, Sale of City Owned Surplus Property – (2) Kubota Zero Turn Mowers

Webster Morris - \$3,910 (mower #2)

Webster Morris - \$4,010 (mower #3)

Dorian's last item is approval for the bid award for the sale of City owned surplus property. He advised the Street Department recently opened bids for the sale of 2 Kubota Mowers, receiving five bids for each. Dorian advised the high bids received were; mower #2 - \$3,910, submitted by Webster Morris and mower #3 - \$4,010, also submitted by Webster Morris, in which he recommends the award of.

A motion was made by Council Member Welch to approve the bid award to Webster Morris for the sale of two Kubota zero turn mowers in the amount of \$3,910 for mower #2 and \$4,010 for mower #3. The motion was seconded by Council Member Bowen.

Council Member Franke then questioned the reason for the sale of the mowers, in which Dorian advised both of these mowers are old mowers and the department has not used them for quite some time. The newer fleet of mowers are John Deere and these mowers were kept for seasonal employees, to use, however, they are just sitting around. Council previously approved the declaration of surplus for both of these pieces.

Motion carried.

MEGAN RAPP– DIRECTOR, HCVB
Re: Bid Award Approval, 2022 Hannibal Visitors Guide Printing
Poole Communications - \$34,863 (100,000 copies)

Megan Rapp, Director of Tourism, advised she is requesting approval for a bid award for the printing of the 2022 Hannibal Visitor’s Guide. She advised a legal notice was placed in the Hannibal Courier-Post on October 27, 2021 and request for proposals were sent to vendors requesting the information. The RFP requested pricing for both 100,000 and 125,000 copies. Sealed Bids were opened on November 10, 2021, by the City Clerk, with one received by Poole Communications in the amount of \$34,863 for 100,000 copies and \$42,072 for 125,000 copies.

Council Member Welch questioned if this was the same company that was used last year, in which Rapp stated she believes it was but not sure.

A motion was made Council Member McCoy to approve the bid award to Poole Communications in the amount of \$34,863 for 100,000 copies for the 2022 Hannibal Visitor’s Guide printing. The motion was seconded by Council Member Welch.

Motion carried.

RESOLUTION NO. 2381-21

**A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING
THE MAYOR TO EXECUTE CONTRACT FOR SALE OF REAL
ESTATE, DECLARATION OF RESTRICTIONS AND COVENANTS,
DEEDS AND OTHER RELATED CLOSING DOCUMENTS FOR THE
SALE OF CITY OWNED PROPERTY, KNOWN AS 612 MARK
TWIN AVENUE TO HORIZON RENTALS IN THE AMOUNT OF
\$2,870**

A motion was made by Council Member Bowen to have the City Clerk read Resolution No. 2381-21 and call the roll for adoption. The motion was seconded by Council Member Welch.

ROLL CALL

Yes: Council Members Bowen, Welch, McCoy, Mayor Pro Tem Dobson and Council Member Franke - 5

No: - 0 -

Absent: Mayor Hark and Council Member Veach - 2

Motion carried.

Mayor Pro Tem Dobson declared Resolution No. 2381-21 duly approved and adopted on this date.

RESOLUTION NO. 2382-21

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR TRANSFER OF REAL ESTATE AND SPECIAL WARRANTY DEED FOR THE SALE OF CITY OWNED PROPERTY, KNOWN AS 609 SOUTH HAYDEN TO MIKE MILES, IN THE AMOUNT OF \$575

A motion was made by Council Member Franke to have the City Clerk read Resolution No. 2382-21 and call the roll for adoption. The motion was seconded by Council Member Bowen.

ROLL CALL

Yes: Council Members Bowen, Welch, McCoy, Mayor Pro Tem Dobson and Council Member Franke - 5

No: - 0 -

Absent: Mayor Hark and Council Member Veach - 2

Motion carried.

Mayor Pro Tem Dobson declared Resolution No. 2382-21 duly approved and adopted on this date.

RESOLUTION NO. 2383-21

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR TRANSFER OF REAL ESTATE AND SPECIAL WARRANTY DEED FOR THE SALE OF CITY OWNED PROPERTY, KNOWN AS 2311 MARKET STREET TO MIKE MILES IN THE AMOUNT OF \$575

A motion was made by Council Member Franke to have the City Clerk read Resolution No. 2383-21 and call the roll for adoption. The motion was seconded by Council Member McCoy.

ROLL CALL

Yes: Council Members Bowen, Welch, McCoy, Mayor Pro Tem Dobson and Council Member Franke - 5

No: - 0 -

Absent: Mayor Hark and Council Member Veach - 2

Motion carried.

Mayor Pro Tem Dobson declared Resolution No. 2383-21 duly approved and adopted on this date.

RESOLUTION NO. 2384-21

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT FOR TRANSFER OF REAL ESTATE AND SPECIAL WARRANTY DEED FOR THE SALE OF CITY OWNED PROPERTY, TO LARRY WELCH LOCATED AT THE END OF PRINCE AVENUE IN THE AMOUNT OF \$575

A motion was made by Council Member McCoy to have the City Clerk read Resolution No. 2384-21 and call the roll for adoption. The motion was seconded by Council Member Bowen.

ROLL CALL

Yes: Council Members Bowen, McCoy, Mayor Pro Tem Dobson and Council Member Franke - 4

No: - 0 -

Abstain: Council Member Welch - 1

Absent: Mayor Hark and Council Member Veach - 2

Motion carried.

Mayor Pro Tem Dobson declared Resolution No. 2384-21 duly approved and adopted on this date.

RESOLUTION NO. 2385-21

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE A \$54,999.50 ENGINEERING SERVICES AGREEMENT BETWEEN THE CITY OF HANNIBAL AND KLINGNER & ASSOCIATES FOR THE DESIGN, BIDDING AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE EXTENSION OF LAKESIDE DRIVE INTO THE INDUSTRIAL PARK

A motion was made by Council Member McCoy to have the City Clerk read Resolution No. 2385-21 and call the roll for adoption. The motion was seconded by Council Member Bowen.

ROLL CALL

Yes: Council Members Bowen, Welch, McCoy, Mayor Pro Tem Dobson and Council Member Franke - 5

No: - 0 -

Absent: Mayor Hark and Council Member Veach - 2

Motion carried.

Mayor Pro Tem Dobson declared Resolution No. 2385-21 duly approved and adopted on this date.

RESOLUTION NO. 2386-21

A RESOLUTION OF THE CITY OF HANNIBAL AUTHORIZING THE MAYOR TO EXECUTE CONTRACTS, AGREEMENTS, DEEDS AND CLOSING DOCUMENTS, TO ACQUIRE CERTAIN REAL PROPERTY, KNOWN AS 317 BROADWAY (FORMER WARECO LOT) IN THE AMOUNT OF \$10,000, BY THE CITY OF HANNIBAL

A motion was made by Council Member Welch to have the City Clerk read Resolution No. 2386-21 and call the roll for adoption. The motion was seconded by Council Member Bowen.

ROLL CALL TO READ

Yes: Council Members Bowen, Welch, McCoy and Mayor Pro Tem Dobson - 4

No: Council Member Franke - 1

Absent: Mayor Hark and Council Member Veach - 2

Motion carried.

ROLL CALL TO APPROVE

Yes: Council Members Bowen, Welch, McCoy and Mayor Pro Tem Dobson - 4

No: Council Member Franke - 1

Absent: Mayor Hark and Council Member Veach - 2

Motion carried.

Mayor Pro Tem Dobson declared Resolution No. 2386-21 duly approved and adopted on this date.

BILL NO. 21-033

AN ORDINANCE OF THE CITY OF HANNIBAL AMENDING CHAPTER 32, ZONING ARTICLE V – DISTRICT B, MULTIPLE RESIDENCE DISTRICT ADDING “GALLERIES” TO ALLOWED USES OF THE CITY OF HANNIBAL CODE OF ORDINANCES

Second and Final Reading

A motion was made by Council Member Franke to have the City Clerk read Bill No. 21-033 and call the roll for adoption. The motion was seconded by Council Member Welch.

ROLL CALL

Yes: Council Members Bowen, Welch, McCoy, Mayor Pro Tem Dobson and Council Member Franke - 5

No: - 0 -

Absent: Mayor Hark and Council Member Veach - 2

Motion carried.

Mayor Pro Tem Dobson declared Bill No. 21-033 duly approved and adopted on this date.

BILL NO. 21-034

AN ORDINANCE REZONING 3700 PALMYRA ROAD, CITY OF HANNIBAL, MARION COUNTY, MISSOURI FROM E-COMMERCIAL TO B- MULTIPLE FAMILY AND AMENDING THE CITY’S ZONING MAP ACCORDING

Second and Final Reading

A motion was made by Council Member Bowen to have the City Clerk read Bill No. 21-034 and call the roll for adoption. The motion was seconded by Council Member Welch.

ROLL CALL

Yes: Council Members Bowen, Welch, McCoy, Mayor Pro Tem Dobson and Council Member Franke - 5

No: - 0 -

Absent: Mayor Hark and Council Member Veach - 2

Motion carried.

Mayor Pro Tem Dobson declared Bill No. 21-034 duly approved and adopted on this date.

**BILL NO. 21-035
(as amended)**

**AN ORDINANCE OF THE CITY OF HANNIBAL PROVIDING
FOR SUBMISSION OF A PROPOSAL (*PROPOSITION ONE*)
TO ALLOW THE CITY OF HANNIBAL TO IMPOSE AN
ADDITIONAL, LIMITED CITY SALES TAX OF ONE HALF
(1/2) PERCENT FOR THE SOLE PURPOSE OF FUNDING
CITY-WIDE INFRASTRUCTURE AND REMEDIAL
IMPROVEMENTS TO THE QUALIFIED VOTERS OF THE
CITY FOR APPROVAL AT THE MUNICIPAL ELECTION
TO BE HELD ON TUESDAY, APRIL 5, 2022**

First Reading

A motion was made by Council Member Franke to give Bill No. 21-035 a first reading, as amended. The motion was seconded by Mayor Pro Tem Dobson.

Council Member Franke advised the five year sunset clause needs to be added. Assistant City Attorney Ethan Machete advised this wording can be added throughout the Ordinance.

Council Member Bowen advised the Ordinance itself does not have the five year sunset wording however, the ballot language does have it included. It appears that some places have it listed but not everywhere. Zerbonia advised that she sends the ballot language only to the county, with a copy of the Ordinance and will amend to include the sunset clause throughout.

Motion carried.

**CLOSED SESSION
*In Accordance with RSMo. 610.021 (1) (2) (12)***

Mayor Pro Tem Dobson then entertained a motion to enter into closed session in accordance with RSMo. 610-021, sub-paragraphs (1), (2) and (12). He is requesting to admit himself, City

Council Members, Assistant City Attorney Ethan Machete, City Manager Lisa Peck, City Clerk Angel Zerbonia and Director of Central Services Andy Dorian. A motion was made by Council Member Franke to enter into closed session. The motion was seconded by Council Member Bowen.

ROLL CALL

Yes: Council Members Bowen, Welch, McCoy, Mayor Pro Tem Dobson and Council Member Franke - 5

No: - 0 -

Absent: Mayor Hark and Council Member Veach - 2

Motion carried.

OPEN SESSION

A motion was made by Council Member Bowen to return to open session. The motion was seconded by Council Member McCoy.

Motion carried.

ADJOURNMENT

A motion was then made by Council Member Bowen to adjourn the meeting. The motion was seconded by Council Member McCoy.

Motion carried.

Michael J Dobson, Mayor Pro Tem

Angelica N. Zerbonia, MRCC, CMO - City Clerk